

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

REQUEST FOR MODIFYING THE CONDITIONS OF SUPERVISION **MAR 31 2006**
WITH CONSENT OF THE OFFENDER
(Probation Form 49, Waiver of Hearing is Attached)

Stephan Harris, Clerk
Cheyenne

Name of Offender: Donald Wayne Fogle Case Number: 02CR-00007-01B
Name of Sentencing Judicial Officer: Clarence A. Brimmer
Date of Original Sentence: June 28, 2002
Original Offense: Use of Interstate Commerce to Coerce and Entice for Illegal Sexual Activity
Original Sentence: 47 months custody/36 months supervision
Type of Supervision: Supervised Release
Date Supervision Commenced: December 23, 2005
Assistant U.S. Attorney: John Masterson
Defense Attorney: James Barrett

PETITIONING THE COURT

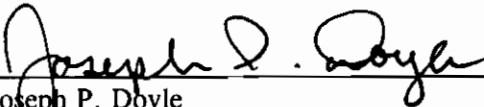
- ☐ To extend the term of supervision for _____ years, for a total term of _____ years.
☒ To modify the conditions of supervision as follows:

The defendant shall abstain entirely from the use of alcohol and shall not frequent establishments where alcohol is sold.

CAUSE

The defendant has an extensive history of alcohol and substance abuse. Although he is currently drug and alcohol free, it is believed his abstinence from alcohol is essential to his successful completion of supervision and continued sobriety .


Respectfully submitted,



Joseph P. Doyle
U.S. Probation Officer

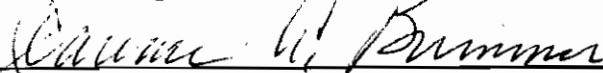
3-30-06
Date

Approved by:


Michael A. Akers
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ A Hearing to Show Cause why Conditions Should not be Modified



Clarence A. Brimmer
U.S. District Judge

5-31-06
Date

UNITED STATES DISTRICT COURT
for
DISTRICT OF WYOMING

Waiver of Hearing to Modify Conditions of Supervised Release

I have been advised by the U.S. Probation Officer that I am entitled to consult with counsel prior to signing this form, agreeing to waiver of a hearing to modify the terms and conditions of my Supervised Release as set forth below. If I cannot afford counsel, I understand the Federal Public Defender's Office may be appointed for the limited purpose of advising me on this matter.

I have also been advised by the United States Probation Officer and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to me if I am not able to retain counsel of my own choosing.

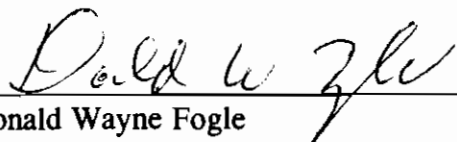
I understand that should the Court concur with the action, I must abide by all the conditions previously imposed during the period of Supervised Release.

I hereby voluntarily waive my statutory right to a hearing and to consultation with and/or assistance of counsel. I also agree to the following modifications of my Conditions of Supervised Release:

The defendant shall abstain entirely from the use of alcohol and shall not frequent establishments where alcohol is sold.

I have read or have had the above read to me and I fully understand it. Having been advised of my rights, I freely and voluntarily give full consent to this proposed action.

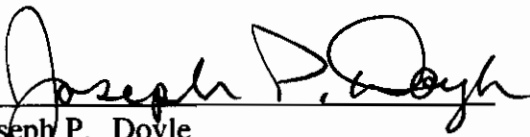
Signed:


Donald Wayne Fogle
Defendant

Date

3/21/06

Witness:


Joseph P. Doyle
U.S. Probation Officer

Date

3-29-06